

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15-CR-00285-RJC-DCK

USA

v.

CAMERON GARRISON

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ORDER

**THIS MATTER** is before the Court upon the government's Motion for Revocation of Magistrate Judge's Order, (Doc. No. 26), granting temporary modification of the defendant's release conditions, pursuant to 18 U.S.C. § 3145(a), (Doc. No. 28), and related pleadings.

The defendant was arrested in the District of Washington pursuant to an indictment charging him misappropriating approximately \$95,000 from an employee benefit plan. (Doc. No. 3: Indictment). A magistrate judge in that district ordered the defendant's release after a hearing on December 28, 2015, consistent with the recommendation in the United States Pretrial Services report, but over the government's objection. (Doc. No. 7: Rule 5(c)(3) documents). On April 22, 2016, the defendant filed a motion in this district seeking temporary modification of his release conditions, with the approval of his probation officer, to travel to Canada for business and personal reasons. (Doc. No. 23: Motion). Over the government's objection, (Doc. No. 27: Response in Opposition), a magistrate judge approved the trip after a hearing on April 26, 2016. (Doc. No. 26: Order). This appeal followed.

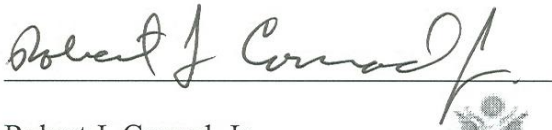
A district court is required to make an independent, de novo determination when acting on a motion to review a magistrate judge's pretrial release order. United States v. Stewart, 19 F. App'x 46, 48 (4th Cir. 2001)(citing United States v. Rueben, 974 F.2d 580, 585-86 (5th Cir. 1992)). However, a district court is not required to hold an additional evidentiary hearing as part

of its review. United States v. King, 849 F.2d 485, 489-90 (11th Cir. 1988); United States v. Hare, 873 F.2d 796, 799 (5th Cir. 1989). After conducting its independent review, a district court may explicitly adopt the magistrate judge's order without making duplicate findings, or may state additional reasons supporting its decision. King, 849, F.2d at 490-91.

Accordingly, the Court has reviewed the entire record in this case de novo. The Court finds that the magistrate judge correctly determined there is good cause to allow the defendant to travel to British Columbia, Canada, for ten days in May<sup>1</sup> and that the additional conditions will reasonably assure the appearance of the defendant as required. Therefore, the Court adopts the magistrate judge's Order.

**IT IS, THEREFORE, ORDERED** that the government's Motion, (Doc. No. 28), is **DENIED**, and the defendant may travel according to the terms of the Modification Order, (Doc. No. 26).

Signed: May 20, 2016

  
Robert J. Conrad, Jr.  
United States District Judge



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<sup>1</sup> The dates originally requested by the defendant have passed during the pendency of this litigation.